APPLICANT(S):   Solomon, Amiad
SERIAL NO.:   09/780,469
FILED: February 12ᵗʰ, 2001
Page 2

REMARKS

The present communication is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1 through 6 are pending in the application. Claims 1 through 6 have been rejected.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1 through 6 under 35 U.S.C. § 103(a), as being unpatentable over Bisdikian et al., U.S Patent 5,974,406 and Logan, U.S Patent 6,665,659.

Applicant contends that the Examiner has failed to establish a prima facie case of obviousness and applicant must respectfully traverse the rejection of claims 1 through 6.

Under 35 U.S.C. §103(a), to establish prima facie case of obviousness of a claim, all the claim limitations must be taught or suggested by the prior art, and all words in a claim must be considered in judging the patentability of that claim against theprior art. MPEP §§2143; 2143.03; In re Royka, 490 F.2d 981 (CCPA 1974). Moreover, there must be some suggestion or motivation to modify the reference, and a reasonable expectation of success. MPEP §§2143.01-2143.03; In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In re Mills, 916 F.2d 680 (Fed. Cir. 1990). Further, a

APPLICANT(S):   Solomon, Amiad
SERIAL NO.:   09/780,469
FILED: February 12th, 2001
Page 3

proposed modification of prior art cannot render the prior art unsatisfactory for its intended purpose or change the principle of operation of the referenced. MPEP § 2145.

Applicants respectfully submit that Bisdikian et al. and Logan cannot support the rejection of claims 1-6 under 35 U.S.C. §103(a).

More specifically, Applicant asserts that the above listed combination of separate and unrelated references do not form the basis of a proper obviousness type rejection because the Examiner hasn't shown in any of the cited references (1) a suggestion or motivation to combine or modify the reference(s) to include all the claim limitations; (2) a reasonable expectation of success in combining or modifying the reference(s) to include all the claim limitations; and (3) desirability of the combination of the references to include all the claim limitations.

In addition, on page 4 of the Office Action, the Examiner notes that claims 4-6 were analyzed as method and system claims 1-3. Applicant respectfully asserts that each independent claim should be analyzed separately.

Claims 4-6

Independent claim 4 is directed to a method for using a computer connected to a network to match buyers and sellers which includes BOTH

1) "**search sites on said network for want ads from buyers**", and

2) "**search sites on said network for sell ads from sellers**".

Contrary to the claimed limitations, the two cited references teach:

Bisdikian reference —

A method and apparatus for providing customized notification in response to a search query. Moreover, with this invention, a query is received from a user via a user interface. The user also selected a time and means of notification, such as for example, by fax at a specified time. The system will also receive several notification choices from both the user and a supplier of information and match the choices so

APPLICANT(S): Solomon, Amiad
SERIAL NO.:   09/780,469
FILED: February 12th, 2001
Page 4

that a supplier can notify a user in accordance with a mutually selected time and means of notification. (Abstract)

Logan reference –

A system for selectively distributing information from a multiplicity of Internet resources to a user in a way that make it easier for the user to quickly identify information of particular interest. The system employs a server for generating a central library of citations, each containing metadata that describes selected information from a resource identified by a URL. The server works in conjunction with a client computer which requests information on a topic or topics of interest by supplying preference data to the server. In response, the server delivers a subset of the citations to the client computer which match the preference data from the client. *The client computer places this subset of citations in a local store where they may be compared with user requests by matching the metadata in each citation to criteria specified by the user.* In addition, the locally stored citations may be sorted into an particular order in response to a user request. *The filtered and sorted citations may then be used to present desired information to the user, either by displaying metadata contained in the citation or by using the URL in the citation to fetch relevant information via the Internet from the original resource.* (Abstract, emphasis added)

Neither of the reference cited by the Examiner, alone or in combination, teach or suggest a method for using a computer connected to a network to match buyers and sellers which includes BOTH **"search sites on said network** for want ads **from buyers"**, and **"search sites on said network** for sell ads **from sellers"**.

As was admitted by the Examiner, while addressing claim 1, although the Bisdikian reference teaches some of the claimed limitations, it fails to explicitly teach that the computer **searches (web) sites on the computer network** for sell ads **from sellers.**

APPLICANT(S):   Solomon, Amiad
SERIAL NO.:   09/780,469
FILED: February 12th, 2001

Page 5

The Examiner alleged that the Logan reference remedies that failure by teaching "techniques of searching for Internet resources (i.e. website) of particular interest" and in particular, "a method for distribution of information of interest retrieved from many different resources (websites) to a user how sends a request for the information of interest". The Examiner further alleged, regarding claim 1, that it would have been obvious to modify Bisdikian in view of Logan these references, thereby resulting in the claimed method.

Applicant would like to point out to the Examiner that Logan does not teach "**search sites on said network for want ads from buyers**" and "**search sites on said network for sell ads from sellers**", but rather teaches generating a central **library of citations each containing metadata** that describes selected information from a resource identified by a **URL** which may be compared with **user requests** by matching the metadata in each citation to criteria specified by the user.

One of ordinary skill in the computer arts would know that there is a significant difference between **referring a request to and searching an existing, categorized, collection of citations** (as taught in Logan) and **dynamically searching the network** any number of unrelated (web) sites for **both want ads from buyers and sell ads from sellers** and "understand" their content and thus "matching at least one of said want ads with at least one of said sell ads" (as claimed). Therefore, there is no teaching or suggesting of all the claimed limitations of independent claim 4.

Therefore, Applicant respectfully requests the withdrawal of the rejections and allowance of claim 4. Applicant believes that **claims 5 and 6** are allowable by virtue of their dependency on allowable claim 4.

Claims 1-2

Independent **claim 1** is directed to a method for using a computer connected to a network to match buyers and sellers which includes "**search sites on said network for sell ads from sellers**".

APPLICANT(S):   Solomon, Amiad
SERIAL NO.:   09/780,469
FILED: February 12th, 2001
Page 6

Neither of the reference cited by the Examiner, alone or in combination, teach or suggest a method for using a computer connected to a network to match buyers and sellers which includes **"search sites on said network for sell ads from sellers"**.

Applicant asserts that Logan does not teach **"search sites on said network for sell ads from sellers"**, but rather teaches generating a central **library of citations each containing metadata** that describes selected information from a resource identified by a URL which may be compared with user requests by matching the metadata in each citation to criteria specified by the user.

One of ordinary skill in the computer arts would know that there is a significant difference between referring a request to and **searching an existing, categorized, collection of citations** (as taught in Logan) and **dynamically searching the network** for any number of unrelated (web) sites **for sell ads from sellers** (as claimed). Therefore, there is no teaching or suggesting of all the claimed limitations of independent claim 1.

Therefore, Applicant respectfully requests the withdrawal of the rejections and allowance of claim 1. Applicant believes that **claim 2** is allowable by virtue of its dependency on allowable claim 1.

Claim 3

Independent **claim 3** is directed to a system for matching buyers and sellers which includes **"means for searching network sites for said sell ads"**.

Neither of the reference cited by the Examiner, alone or in combination, teach or suggest a method for using a computer connected to a network to match buyers and sellers which includes **"means for searching network sites for said sell ads"**.

Applicant asserts that Logan does not teach **"means for searching network sites for said sell ads"**, but rather teaches generating a central **library of citations each containing metadata** that describes selected information from a resource identified by a URL which may be compared with user requests by matching the

APPLICANT(S):   Solomon, Amiad
SERIAL NO.:   09/780,469
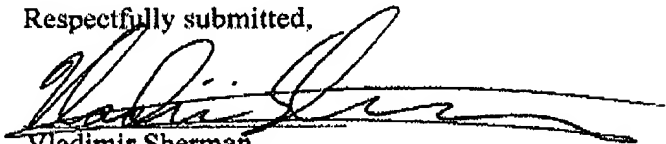FILED: February 12th, 2001
Page 7

metadata in each citation to criteria specified by the user. Therefore, there is no teaching or suggesting of all the claimed limitations of independent claim 3.

In view of the foregoing remarks, all pending claims are believed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Communication, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3400.

Respectfully submitted,

Vladimir Sherman
Attorney for Applicant(s)
Registration No. 43,116

Dated: October 7, 2005

Eitan Law Group, LLP.
C/O Landon IP Inc.
1700 Diagonal Road, Suite 450
Alexandria, VA 22314
Tel: (703) 486-1150
Fax: (703) 892-4510